

STATE OF WASHINGTON  
**DEPARTMENT OF LABOR AND INDUSTRIES**

**PO BOX 44288 • OLYMPIA WA 98504-4288**

<http://www.lni.wa.gov/3rdparty/>

March 10, 2020

UNITED STATES DISTRICT COURT  
County Superior Court  
WESTERN DISTRICT OF WA AT TACOMA  
1717 PACIFIC AVE RM 3100  
TACOMA, WA 98402-2177

Claim number: ZB23363  
Injured Worker: NGOC ANH V. PHAN  
Employer: FORTIVE  
Date of Injury: 12/18/2017

RE: NGOC ANH PHAN and LONG PHAN,

V.

NATIONAL RAILROAD PASSENGER  
CORPORATION, d.b.a. AMTRAK; and  
DOES ONE THROUGH FIFTY.

**UNITED STATES DISTRICT COURT COUNTY NOTICE OF STATUTORY INTEREST IN  
RECOVERY**

**CAUSE NO: 3:18-CV-05784-B**

Dear Court Clerk:

Enclosed for filing in the above-entitled cause is the original of the Department of Labor and Industries' Notice of Statutory Interest in Recovery.

Thank you for your cooperation.

Sincerely,

Daniel Zimmer  
Third Party Adjudicator  
Phone: 360-902-5105  
Fax: 360-902-5156

TPTY-NSIR  
Enclosure

NSIR-1



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**DEPARTMENT OF LABOR AND INDUSTRIES**

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March 10, 2020

JOSEPH GRUBE  
ATTORNEY AT LAW  
1200 5TH AVE, STE 625  
SEATTLE, WA 98101

Claim number: ZB23363  
Injured Worker: NGOC ANH V. PHAN  
Date of Injury: 12/18/2017  
Employer: FORTIVE

RE: NGOC ANH PHAN and LONG PHAN,

V.

NATIONAL RAILROAD PASSENGER  
CORPORATION, d.b.a. AMTRAK; and  
DOES ONE THROUGH FIFTY.

Dear JOSEPH GRUBE:

Enclosed is a copy of the Department of Labor and Industries' Notice of Statutory Interest in Recovery which is being filed.

Please note that RCW 51.24.090 requires the department's written approval of any settlement recovery which would result in less than a claimant's "entitlement," the sum of benefits and compensation PAID and PAYABLE. Without such approval of a deficiency settlement, the settlement is void.

Thank you for your cooperation.

Sincerely,

Daniel Zimmer  
Third Party Adjudicator  
Phone: 360-902-5105  
Fax: 360-902-5156

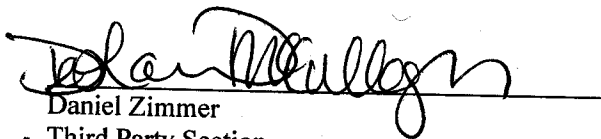
TPTY-NSIR  
Enclosure

**IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR UNITED STATES DISTRICT COURT COUNTY**

NGOC ANH PHAN and LONG PHAN, ) CAUSE NO: 3:18-CV-05784-B  
)  
PLAINTIFF(S) )  
)  
V. )  
)  
NATIONAL RAILROAD PASSENGER )  
COPORATION, d.b.a. AMTRAK; and )  
DOES ONE THROUGH FIFTY. )  
)  
DEFENDANT(S) ) DEPARTMENT OF LABOR AND INDUSTRIES  
) NOTICE OF STATUTORY INTEREST  
) IN RECOVERY

YOU AND EACH OF YOU will please take notice that, pursuant to RCW 51.24.030(2), the Washington State Department of Labor and Industries hereby declares a notice of statutory interest in any recovery made by the plaintiff(s) in the above-entitled cause. The department has the right to be reimbursed to the extent of claim costs incurred under claim number ZB23363. All parties are requested to serve copies of all notices, motions, pleadings, and other processes on the Department of Labor and Industries at the address given below.

Dated this March 10, 2020



Daniel Zimmer  
Third Party Section  
Department of Labor and Industries  
PO Box 44288  
Olympia WA 98504-4288  
Telephone: 360-902-5105

PO Box 44288 • Olympia Wa 98504-4288

**DECLARATION**

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states that:

On March 10, 2020, I caused to be placed in the United States mail, postage prepaid, a copy of this document to the attorney(s) of record of plaintiff(s).

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Dated this March 10, 2020, at Olympia, Washington.



Third Party Recovery Section

Ref Claim Number: ZB23363  
Ref Cause Number: 3:18-CV-05784-B